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THE PROBLEM OF PRISON LABOR

BY OSWALD WEST,
Governor of Oregon.

The prison labor problem, like the poor, seems to be ever with us. It was yesterday's problem, it is to-day's and will undoubtedly be to-morrow's. The yesterday of the problem was not so serious, for it was an easy matter to toss the poor criminal into a dungeon to die of disease and famine, or to make a slave of him, social conscience neither accusing nor excusing. The to-day of the problem is witnessing the dawn of a new awakening of social and industrial responsibility unfelt before. Who shall say what the to-morrow of this problem shall be? That it will be a trying problem is assumed. As long as we have crime and criminals, and they are not growing less, we shall have to face the essential problem of the prison—labor.

To teach the untaught criminal to work, and to keep him at it; to keep peace between contending laborers within and without prison walls; to make prisoners pay their way in dollars and cents and not ruin the prisoners; to dispense justice in the social and economic realm of the prison world; to satisfy the insatiable whims of the idealistic reformer who wants perfection of system immediately if not sooner—all this is called for to-day in our prison problem. In the face of such a task we must confess that we may hope for no more than simply to qualify in the race, and rather expect to be distanced in the conclusion.

There are things which delay the solution of the problem. While we know this solution will come to-morrow—in the to-morrow that never comes, which still is always arriving—there are checks and hindrances which are trying indeed. In the first place, lack of knowledge is a great handicap in the unraveling of the tangle. We have our National Committee on Prison Labor which has done well in gathering the facts for us; our social students are doing not a little of a sort of telescopic observation, but we are still waiting for a fuller classification and analysis of facts. The science of penology is new and uncertain as a science. It is growing, but it is slowly

growing. We are still in the penumbra of ignorance and prejudice, hoping that the eclipse will soon pass. And while we wait we trust the state and nation will not fail to encourage the splendid work of our scouts—our commissions and social students who can and will bring the needed light.

But ignorance is not the only thing blocking our way. It is sad to relate that the demagogue is abroad in the land, stirring up prejudice and antipathies. Prison systems and policies can well stand the honest and truly patriotic muckraker, but calamity comes when this petty and detestable muckraker wants to favor his own personal interests at the expense of every one's reputation and even the welfare of the state. One great hope cheers us here: they that be for us are greater than they that be against us. It is altogether fitting in the face of this enforced delay to study and to confer, to watch and to wait, to possess ourselves in hopeful patience.

At the outset it seems to be the essential thing in the consideration of prison labor to state in some sort of a comprehensive way what the phases of the problem are. As a kind of finger board to point the arbitrary way I take, let me indicate them thus:

1. The putting to work of every prisoner in all our prisons.
2. The keeping of him employed in the face of narrow politics and hot competition.
3. The providing of such employment as will produce the best result upon the criminal and bring the best returns to the state.
4. The following of the lines of least resistance as long as we can deal honestly and still get results.

Here are four phases of the general problem of prison labor. Under one covering we have here, as it were, four nuts that we shall find hard to crack.

Our first task is the evident one of getting every prisoner in all our prisons to work. In this day of enlightenment, it does not seem that it should be necessary to insist upon such a procedure. But when we consider the fact of the enforced idleness, or at least half-idleness in our prisons, and especially in our county jails, we must insist that the first task before us is to see to it that every prisoner in all our penal institutions gets busy. Eight months ago when some of the responsibility of our state penitentiary at Salem fell upon me, over one-third of the men at that institution were passing dreary days in enforced idleness; they were rotting in their cells,

smoking their heads off in a desperate effort to kill time. This enforced idleness which has been so prevalent in our prisons is utter folly from every standpoint. It ruins men. It costs the taxpayer. The ordinary criminal does not find it to his liking to be thus shut up in his cell. The tramp on the outside of the prison wall thinks he wants surcease from toil, and, strange to say, he usually works hard for it. But when it is handed to him in the allopathic doses of the ordinary prison, he begs for the chance to work. And he ought to have the chance. "Labor was the primal curse," Cowper tells us and adds this significant saying, "but it softened into mercy, and made the pledge of cheerful day." Labor is absolutely essential for the full development of the criminal. Just note what happens when the usually untutored, unskilled convict goes to work. He learns to use his hands, he becomes an artisan; he learns to be a co-laborer, his social life is unfolded; he learns application and his moral nature is strengthened; he lifts his head in pride over a task well done; he comes to himself to save himself. That such development is needed, and is really being wrought out, is to be witnessed where this system is employed. That such helpful influences should ever be withheld from the needy criminal is utter folly.

The second phase of the general problem is that of keeping the prisoner at work in the face of trying opposition. It seems a strange thing indeed that any one should desire to withhold the privilege from another of producing something that the world wants and needs, but strange things do happen. We are told that for the last one hundred years there have been those who would like to produce a non-producing unit of the criminal, or eliminate his product entirely from the commercial world. Just now perhaps the greatest aspect of the prison labor problem is that of its difficulties in competition with free labor. But the deeper I go into the problem the more I am convinced that this great cloud upon the horizon has little storm in it. From the cries and prayers that have come to me during the past eight months of my office, I think I see the difficulties, and from my own knowledge of the case, I think, too, that I can see behind the difficulties the clear sky.

May I state these difficulties in this three-fold way:

First, there is the manufacturer without the prison walls, who has been looking with envious eyes over the fence upon the manufacturer working within. He has seen what seems to him unfair

play, and I hasten to say under some of our present systems he is often unjustly discriminated against. He sees the state or the corporation getting labor for nothing, or nearly so. He often sees free rent and free power. But the most exasperating of all, he sees no way to secure this productive franchise except by "System's" method of "long green." Of course, all these conditions do not often prevail, but there is usually enough of them present to mar the game of open competition.

In the next place, free labor has its hue and cry, and they, too, not often without cause. Those who know anything of the labor situation, know that, even though the prison competition is small, still it is sufficient as a disturbing factor. It is not the volume or the percentage that plays havoc, but the nature of the competition. Markets are flooded with cheap and shoddy goods, and consequently the most needy unskilled laborer who has previously manufactured these goods is thrown out of employment. But the most serious damage is the lowering of the living which transpires because the prisoners are state-fed, and their families, if they have any, are usually taken care of by charity. With labor so cheap the state or the lessee has too much of a chance for monopoly in many quarters, and we have seen the state become a rank monopolist, notwithstanding the public feeling of hatred for such a thing.

In the third place the difficulty of keeping the prisoner at work arises from an overzeal in securing money for the running expense of our penal institutions. Prison managements have too often arrogantly defied all labor organizations in haste after the dollar. It is simply robbing Peter to pay Paul. Free labor has a right to resist the proposition of being preyed upon to save the taxpayer, coddled with that bit of sop that it does not matter, for "at last labor pays all the taxes." Prison boards and officers are servants of the state and ought to serve the prison to help it serve every one in the state. They ought not to set themselves up in business as rivals or competitors in the crowded markets, forcing their goods on to the market, which, although cheap, are still undesirable because they are too cheap and disturb the markets. The zeal of the superintendents and the prison boards ought to be matched by a safe and sane discretion in choosing the industries which will help and not hinder trade.

But I am chiefly concerned in giving my reason for a belief

that these difficulties are only transient, and that sooner or later they will disappear. I have a feeling that an enlightened publicity would bring a solution for all the difficulties that may arise with the outside manufacturer. Prison authorities should be bound to let contracts only that had been regularly advertised and let them only to the highest bidder. If the public is aware of the whole business and all the manufacturers have an equal chance, there can be no complaint except for their own stupidity that the contract was not theirs. Publicity is a great thing in our day; graft and subterfuge cannot abide its light. Also free labor's cry for protection, and the prisoner's desire for a chance will in the coming day be realized if we work and wait. When the prisoners' plea for mercy and the free laborers' call for justice shall both be echoed back from the hill of the Almighty's good time, the answer will be in unison, "peace and good will." I do not mean to infer that free labor is not merciful to our prisoners, for I have found it different. When in Oregon we want some one to help out our prison reform work we find none more willing than the labor circles, and especially those fraternities which are closely allied to labor. Not long ago two of these groups of laboring men presented our prison boys a magnificent piano and moving picture machine as a token of their sympathy. Personally I have every reason to know that outside labor is not antagonistic, but is sympathetic. Their chief objection is directed against the state or the corporation that is exploiting prison labor. To see the trouble settled we must eliminate the demagogue, from whose glib tongue issues the venom of prejudices; we must outlaw the lease system and much of the contract system of prison labor, at least that part where publicity is wanting. Then I feel sure that free labor and all concerned will join in our wholesome reform. And we think the day-dawn of this new order is at hand.

But there is something of even greater consequence in our prison labor policies than that of getting a man to work and keeping him at it: it is our third consideration of making that labor productive of greater moral good to the criminal and still remunerative to the state. Here is a hard task. Here is the critical issue as it seems to me. To do any kind of work is a good thing; to do a fair day's task is better; but to do well an appropriate task is the best of all. And really in this world is there not too much time serving, too many perfunctory tasks? And is there not too little labor of exalted

purpose? I know that many have lauded labor *per se* to the skies. One writer of old said exultantly, "Next to faith in God is faith in labor." Voltaire once said, "Labor rids us of three great evils—irk-someness, vice and poverty." Good! But this is too much said for mere labor. All these good things and much more might, however, be said of what we may call spirited labor and utilitarian labor.

Spirited labor is the kind that tells for the convict. What a sad commentary on the spirit of our prison labor, when it takes on an average three convicts to do the work of one free man. We know that this slump of effectiveness is not due so much to ignorance or physical disability as it is to a broken spirit. There has been nothing to work for, no incentive. In Oregon we have been experimenting; we have done what we could to put new life in labor, and our results have been greater than we anticipated. There have been two things with us that have helped wonderfully to cheer the convict, to lift his face and to put a new song in his heart. First we have given him a few cents for a good day's work. Early this spring we told the boys in the brickyard that they were not doing enough and that we would give them \$2.50 for each extra thousand bricks they made in a day. They got busy and increased the output of the brickyard fifty per cent over the previous time, and the boys are making thirty-five cents a day, and incidentally another thirty-five cents per day is placed in a fund which we use to pay other trusties. All of our outside men, or "trusties" as we call them, are working without guard, and I am proud to say that now this list of trusties comprises fifty per cent of the men of our institution, and most of them receive twenty-five cents or more per day for their labor. We sent sixty men to a nearby hopyard to pick hops, and they made for themselves fifty cents a day and turned in a dollar a day to our trusty fund. To this list might be added those who receive "prize money" and "overtime" pay from the foundry and shops. This makes it possible for many prisoners to make something after their first six months. A little bank account in the front office has the significance of a certificate of deposit in the great bank of character. And this money helps to solve another of our trying prison problems, that of dependency of the prisoner's family. Suffering wives and children now get a little offering from this small account and, best of all, our prison boy leaves with his head up, not as an object

of charity. He goes as a really free man to gain his lost estate. Charity handed to any man is a load upon his soul, but the little bank account is an Alpine staff with which to climb to higher altitudes.

Along with the few cents which are such an encouragement to the prisoner is another thing which we find cheers and strengthens, that is our honor system. It is a small thing to bestow honor and confidence, but it is a wonderful working thing among the boys who have usually been kicked on in the way to perdition. We pride ourselves that sixty per cent of the men serving time are out on honor, some twelve per cent on regular parole or what we call "trusty paroles," and the other fifty per cent are trusties, many of them working at other state institutions. In the past eight months only three of our trusties have tried to run away; two got away, and during the same time only three regular parole men broke parole, and all of them were brought back—an unusual record! But the effect on the men to get them to work cheerfully is a thing noted by all who have witnessed the system. One of our trusties who has been spending the summer with others in a camp not far from our capital city, where they have been building roads, expressed a sentiment at a little dinner given for the boys and me, and the sentiment of this speech ought to be embossed in all our prison policies. He said: "The best we can do under such circumstances as these (referring to the honor bestowed) is too little, but under the old regime, guarded by cold steel, the least we could do seemed too much."

And there is still the higher consideration, namely, that labor transforms a man's life. If we do not forget that the chief end of the prison is reformation, we shall keep constantly in mind the effects of labor upon a man's life, as well as the fruits of it. Labor ought to be such as will fit the prisoner for a better place in society. A variety of occupations ought always to be provided, so that a man can follow that which is his natural bent. Labor that is to one's liking will be cheerful and, if it be for a good end, will react upon the man's life to transform and redeem it. Nothing less than this ought to be our goal in our ambitions for prison labor.

Now the final phase of the prison labor problem to claim our attention is merely the suggestion of following the lines of least resistance. Of course it is not intended that this dogma of following the lines of least resistance is to be practised by ourselves or the

prisoners when we want to evade work, but I mean that it is our duty to steer clear of difficulties in prison policies whenever we can. The economic and social and political seas are full of rocks and we ought to have judgment enough to keep to the open as much as possible. For this reason I give my heart and hand to the "state-use system" of employment of convicts. It has some difficulties, but they need not distress us. And when all state institutions are as near at hand as they are with us, in and about our capital city, this system is simplified. As we can use policy in the selection of systems of employment of prison labor, it seems we ought to use policy to go not too far in the adoption of whims of reformers, but rather a system of affairs to await the testing of these new programs; in other words to make haste slowly. But here again policy demands that when clear and simple duty confronts us we must not withhold our hand in the name of conservatism.

In conclusion, and as a sort of summary of my sentiment, will you allow me to propose what I want to call a Governor's Creed relative to prison labor:

1. I believe it is my duty to learn all it is possible for me to know about this problem before me. I welcome the enlightenment of social students and commissions, and, most of all, must know the prisoner, the officers and the prison plant at work.

2. I believe I ought to do my part in the solution of the problem. "By the sweat of a man's brow shall a man eat his bread" is a divine edict which applies to me as well as to the boys in prison and those who serve under me.

3. I believe in the prisoner. Some have turned down my confidence, but I believe in them all just the same. They are savable, and they cannot get away from my good wishes for them.

4. I believe in plenty of wholesome, cheerful and useful labor for the prisoner. With Carlyle I say, "Give me the man who whistles at his work," also the man who is able to produce something that will make the world happier and better off.

5. I believe in the outside manufacturers and in free labor, and my office is always open to their petitions, and I am glad to join hands with them to help our unfortunate brother who for his folly must spend his days behind prison bars.

6. I believe in the state I serve. It is deserving of my

best efforts to make our prison self-supporting, and we will do it, too.

7. I believe in keeping plugging away and let the critics howl.

8. I believe that Jesus Christ and John Howard and Abraham Lincoln were full of gentle sympathy and stern justice, and did all they could to help the unfortunate. I want to emulate them.